

Notice of Allowability

Application No.

10/648,483

Applicant(s)

NAGAI, TOSHIAKI

Examiner

Suezu Ellis

Art Unit

2878

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed June 6, 2005.
2. ☒ The allowed claim(s) is/are 1-23.
3. ☒ The drawings filed on 27 August 2003 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Darren Crew on August 2, 2005.

The application has been amended as follows:

Claim 8, line 5, replace "are" with --is--.

Claim 13, line 5, replace "are" with --is--.

Claim 16, line 8, between "of" and "a", remove "to".

Claim 18, line 4, replace "an asymmetric" with --a symmetric--.

The following is an examiner's statement of reasons for allowance:

With respect to claim 1, prior art fails to teach or reasonably suggest a measuring device for measuring an in-plane magnetization vector component of a magnetic substance comprising a half-turn asymmetric polarizing element that its action on polarization distribution in a cross section of incident light flux has an asymmetric nature of about a half-turn around an optical axis, in addition to the other features of the claim.

With respect to claim 18, prior art fails to teach or reasonably suggest a measuring device comprising a half-turn asymmetric reflective symmetry polarized light source which outputs a light flux whose intensity distribution has a symmetric nature of

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about a half-turn, while the polarization state distribution does not have a symmetric nature of about a half-turn around an optical axis in a cross section of the light flux perpendicular to the optical axis, as well as whose intensity distribution and polarization state distribution in the cross section of the light flux are both symmetric about a reflection with respect to a certain plane including the optical axis as a boundary plane, in addition to the other features of the claim.

With respect to claim 22, prior art fails to teach or reasonably suggest a measuring device for measuring only one component of an in-plane magnetization vector component of a magnetic substance comprising a divisional half-wave element placed in an optical path between the light source and the focusing unit where the light reciprocates and that is constituted of half-wave elements which are divided into two regions with a straight line as a boundary in a cross section of the light flux and whose respective neutral axes in the two regions and the boundary makes angles of the same absolute value with opposite signs, in addition to the other features of the claim.

With respect to claim 23, prior art fails to teach or reasonably suggest a measuring device for measuring an in-plane magnetization vector component of a magnetic substance comprising a divisional half-wave element in an optical path before the focusing unit where the light reciprocates, whose action on the polarization distribution in a cross section of the light flux has an asymmetric nature of about a half-turn around an optical axis, in addition to the other features of the claim.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably


accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Telephone/Fax Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Suez Ellis whose telephone number is 571-272-2868. The examiner can normally be reached on 8:30am-7pm (Monday-Thursday).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dave Porta can be reached on 571-272-2444. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Stephone B. Allen
Primary Examiner